



Security Council

Distr.
GENERALS/1999/559
13 May 1999

ORIGINAL: ENGLISH

LETTER DATED 13 MAY 1999 FROM THE SECRETARY-GENERAL ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter dated 11 December 1998 (S/1998/1158), regarding the approval of the distribution plan submitted by the Government of Iraq for the purchase and distribution of humanitarian supplies during the new period specified in paragraph 1 of Security Council resolution 1210 (1998) of 24 November 1998, I have the honour to inform you and, through you, the members of the Security Council, that, pursuant to paragraph 8 (a) (ii) of Council resolution 986 (1995) of 14 April 1995, the Government of Iraq has now submitted to me a revised part seven of the distribution plan, concerning telecommunications. The revised requirements have been submitted following a joint technical review by United Nations experts and the relevant technical ministries of the Government of Iraq, referred to in the letter dated 29 May 1998 from the Executive Director of the Iraq Programme to the Permanent Representative of Iraq to the United Nations (S/1998/446, annex I).

The Government of Iraq was informed today that I have approved the revised part seven of the distribution plan, on the understanding that its implementation would be governed by resolutions 986 (1995) and 1210 (1998) and the memorandum of understanding concluded on 20 May 1996 between the United Nations Secretariat and the Government of Iraq, and would be without prejudice to the procedures followed by the Security Council Committee established by resolution 661 (1990).

A copy of the list of supplies and goods in the revised annex VII to the distribution plan will be made available to the Security Council Committee. The list has been scrutinized by experts of the United Nations Special Commission, who concluded that, on the basis of the limited information given in the annexes, no prohibited items could be identified. They will keep the matter under review and provide further assessment in the light of additional information that may become available.

The revised part seven of the executive summary of the distribution plan, concerning telecommunications, and the letter conveying my acceptance are attached.

(Signed) Kofi A. ANNAN



Annex I

[Original: English]

Letter dated 13 May 1999 from the Executive Director
of the Office of the Iraq Programme to the Permanent
Representative of Iraq to the United Nations

On behalf of the Secretary-General, I should like to acknowledge receipt, under cover of a note verbale dated 1 April 1999 from the Ministry of Foreign Affairs of Iraq, of the revised part seven of the executive summary of the distribution plan, together with annex VII to the plan, concerning telecommunications requirements, for the period specified in paragraph 1 of Security Council resolution 1210 (1998) of 24 November 1998.

In this respect, I have the honour to inform you that I have been authorized by the Secretary-General to convey the following.

Having examined the revised telecommunications requirements submitted by your Government, the Secretary-General has concluded that the revised plan concerning telecommunications, if properly implemented, should enhance the implementation of the humanitarian programme throughout the country. The revised plan is, therefore, approved with the following understandings.

In regard to the budgetary allocation, while this is endorsed for the purpose of planning, it may be necessary to limit expenditure in the light of the final revenue generated during the current phase, and in accordance with the priorities established by relevant resolutions of the Security Council, as well as the priorities indicated in the approved distribution plan of 11 December 1998 (S/1998/1158).

The implementation of the revised plan for telecommunications is governed by the relevant Security Council resolutions, 986 (1995) and 1210 (1998), and the memorandum of understanding concluded on 20 May 1996 between the United Nations Secretariat and the Government of Iraq (S/1996/356). In case of inconsistency between the particular provisions of the revised plan on the one hand, and the relevant resolutions and the memorandum of understanding on the other, the provisions of the latter documents shall prevail.

The approval of the revised plan for telecommunications requirements is without prejudice to actions that might be taken by the Security Council Committee established by resolution 661 (1990) regarding applications for export of particular items contained in the list submitted for the Committee's consideration, in accordance with its procedures.

The joint unit established by resolution 1051 (1996) of 27 March 1996 will continue to review the categorized list, in the light of additional information that may become available, for the purpose of identifying items that are subject to monitoring because of their possible dual use for civilian and prohibited purposes under Security Council resolution 687 (1991) of 3 April 1991, and other relevant resolutions.

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Finally, I should like to welcome the statement, in paragraph 10 of the revised part seven of the executive summary, that, in accordance with paragraph 41 of the memorandum of understanding, the Government of Iraq shall provide us with detailed information about the delivery of supplies and equipment to their locations, in order to facilitate the monitoring of their use pursuant to paragraph 8 of annex I to the memorandum of understanding.

(Signed) Benon V. SEVAN
Executive Director

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Annex II

[Original: Arabic]

Note verbale dated 1 April 1999 from the Ministry of Foreign
Affairs of Iraq addressed to the Office of the United
Nations Programme in Iraq

The Ministry of Foreign Affairs of Iraq presents its compliments to the Office of the United Nations Programme in Iraq and has the honour to transmit to it herewith a diskette containing the amended annexes to the distribution plan for the communications sector, which were prepared in coordination with Mr. Akif Harb Nasir, the Iraq Programme's envoy to the country. The Ministry requests the Office to forward the diskette to New York as quickly as possible for approval.

The Ministry takes this opportunity to convey to the Office the assurances of its highest consideration.

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Appendix

[Original: English]

PART SEVEN/TELECOMMUNICATIONS

Executive Summary

- 1- The telecommunication sector is considered as the infrastructure to Iraq infrastructure. It has a vital role to play in the improvement of food distribution, medicine, water and sanitation, electricity, and the rest of the humanitarian program sectors. Before 1991 the telephone density in the country was 5.6 telephones per 100 inhabitants. In 1999 this density has decreased to 3.3 due to damaged exchanges, shortage of spares and increase in the population. World telephone density average is 10%.
- 2- Since the implementation of the MOU, nothing has been provided to purchase any equipment or spare parts. This is the first time the issue of the telecommunication sector is being addressed. In fact since 1991 no new or additional equipment was received to support the deteriorating network, nor were parts received to make essential network repairs. The full set of measurement test equipment needed for maintenance is not available to keep the network operating to the required international standards.
- 3- The present state of telecommunication systems throughout Iraq is extremely poor. Apart from the wider social considerations, there are negative consequences for the efficient procurement and distribution of humanitarian supplies. The difficulties experienced by the Ministries involved in implementing the MOU when communicating with their suppliers have contributed to delays in ensuring timely submission of applications and subsequently in the delivery of supplies to Iraq. In the health sector, poor communications between warehouses and hospitals have contributed to delays in the collection of supplies by health facilities. The absence of adequate data links has also hindered the timely passing on of accurate information on requirements. With regard to the electricity sector, this has affected the coordination of operation between the source, the transmission stations and substations.
- 4- A recent UN mission (August 1998) to Iraq by experts delegated from the International Telecommunication Union (ITU) has concluded that the entire telecommunication infrastructure is deteriorating to such an extent that the quality of service is beyond comprehension. The rate of unsuccessful calls has risen dramatically in recent years and the quality of transmission channels is so bad that it constitutes a major problem for even the transmission of faxes. At present, the transfer of computer files (data transfer) is almost impossible via the public telephone network and affects directly UN observation activities and reporting. The mission, further, concluded that the rehabilitation and modernization of the telecommunication network is a huge development project. It would require an investment of US\$ 1 billion or more and its implementation could take between 7 and 10 years. This of course falls outside the SCR 986 program. However, the ITU mission has identified the High Priority Telecommunications Requirements that have direct bearing on the Program and are the subject of this section. Further to these projects, the mission included several other potential telecommunication development projects, which could be considered in the future according to the availability of financial

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resources. The High Priority requirements included eight projects for various parts of Iraq at an approximate cost of US\$123 million.

- 5- In order to ensure a more effective implementation of a distribution plan and enhance utilization of commodities imported, communication equipment is required. The requirements presented in the current distribution plan are those identified by ITU mission referred to in item 5 below and has the following objective:

Replacement of damaged or obsolete equipment and introduction of some new equipment that will improve communications in areas of activities of the humanitarian program in Baghdad and other few selected areas. This will directly have positive impact on the improvement of the procurement and distribution system of humanitarian supplies

- 6- The plan addresses few specific projects in Baghdad where most of the humanitarian program activities are taking place and where about 20% of the Iraqi population live. Further, it addresses the international communications, the microwave link between Baghdad and Basrah, mobile and data network. These are:

First, replacement of the analogue Baghdad Junction Network (BJN) with digital network Annex (A). The BJN is **an** inter-exchange transmission links (both cable & microwave) which was seriously damaged during the war. This damage resulted in the reduction of 68% of operational channels between exchanges, making those remaining connections insufficient to maintain the minimum proper performance. BJN connects the 22 switching centers in Baghdad through old transmission systems. These systems are the main causes of bad quality services in Baghdad. By replacing all analogue transmission lines by digital ones, one would guarantee an immediate improvement in the quality of services for all sectors benefiting from telecommunications. This would not be particularly expensive and would be in the range of \$15 million. It is estimated that the replacement of the transmission lines could be made operational within six to eight months from opening the Letter of Credit. The direct beneficiaries of this project are all those involved in the humanitarian program, including 34 hospitals and 98 drug distribution points. Other beneficiaries are food distribution points including 6 ration centers, 124 ration branches, 9400 food agents and 5323 wheat flour agents, Annex (B) and Annex (C).

Second, replacement of the international communication facilities (Earth station, international exchange and the analogue microwave link between them) due to unreliable international communications which Iraq continues to experience difficulties in establishing and maintaining external contacts with potential producers and suppliers of humanitarian items under the MOU. Many foreign operators connecting to Iraq are also complaining of their frustrations over accessing and successfully concluding telephone calls from their countries to Iraq

Third, replacement of four old crossbar exchanges (Karbala, Diwaniya, Nasiriyah and Basrah) and of the obsolete analogue microwave link between Baghdad and Basrah with a digital link and extend it to the port of Um Qasr, the entry point of the main portion of

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humanitarian commodities under the MOU. This portion will be bigger soon because the Ministry of Health is requesting the supply of medical items through this entry. This microwave link will pass seven governorates whose total population is more than (7) million and considered as the most populated region in Iraq. Reliable and easy communications between Baghdad and the concerned governorates and Um Qasr is extremely important for efficient coordination and management in the process of the supply and distribution of food and medicine. Some of the direct beneficiaries of this project are those involved in the humanitarian program in the area covered by it including (76) hospitals, food distribution points which includes (7) ration centers, (148) ration branches, (9895) food agents and (5213) wheat flour agents.

Fourth, replacement of three exchanges in Baghdad that were completely damaged during the war. One of these exchanges, Bab Al Muadham, is a key exchange for the implementation of the program because it is an exchange through which the Ministry of Health and Kimadia communicate with the rest of the country. Kimadia, the State run company plays a major role in the supply and distribution of medicines. Medical items are distributed from the main warehouses in Baghdad to warehouses in the governorates, and thereafter supplied to the 132 Hospitals, 1500 primary Health Care Centers, 52 Private Hospitals and all the pharmacies. Many warehouses and hospitals are equipped with computers which are not connected together to set up a data network

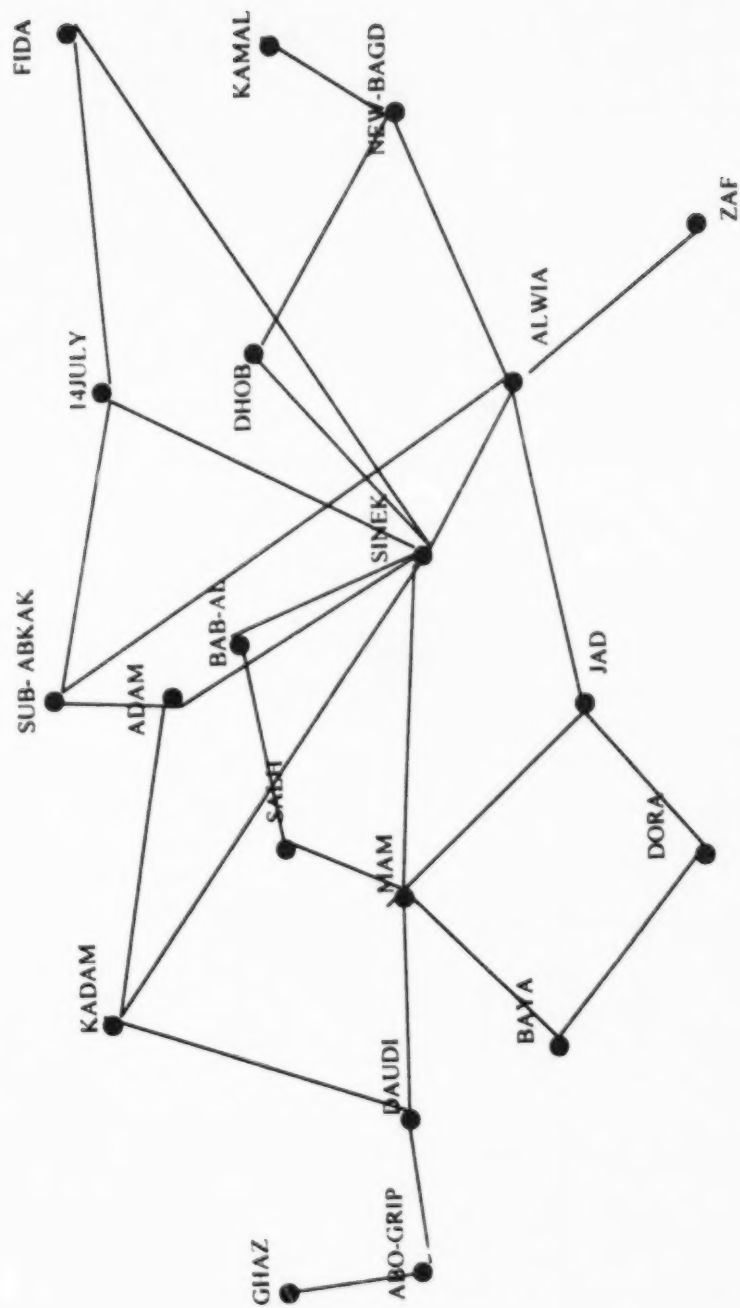
Fifth, Introduction of small mobile telecommunication network for (25000) subscribers in Baghdad. The aim for such network is to provide quick and reliable telecommunication services through out the city of Baghdad and nearby areas along the main roads. Such project will largely bypass the saturation encountered in the most exchanges and the lack or very poor network conditions in many areas of Baghdad. The project will solve the communication problem faced by every essential and important location related to humanitarian distribution services within the MOU framework in addition to more than (10) United Nation humanitarian agencies operating in Iraq

Sixth, Introduction of data network to allow connection of computers in all warehouses and Ministries and other parties involved in the oil for food program.

- 7- The installation of telecommunication projects requires high level of expertise. Before 1991, the staff of ITPC used to carry out all the installation of telecomm equipment with minor supervision from the suppliers. The same staff was able to put the majority of the remaining systems immediately after the war into operation. The plan envisages the utmost use of local resources for the installation and commissioning of the projects, to minimize expenditures.
- 8- Whilst the establishment of telecommunication projects requires a very high level of investment, this all risks to be lost unless those projects are adequately maintained. In order to maintain these projects properly, planned on-job training is required. It goes without saying that the new equipment to be purchased is of new technical generation. This will require training in the manufacturer premises.

- 9- The Plan allocates US\$ 126 million to meet the necessary urgent needs and requirements. Out of this total US\$ 18.7 million is allocated for the three northern governorates.
- 10- In accordance with paragraph 41 of the MOU, the Government of Iraq shall provide the Program with detailed information about the delivery of supplies and equipment to their locations in order to facilitate the monitoring of their use and to make sure of this. The Program will conduct the tasks provided for in paragraph 8 of annex-I of the MOU.

ANNEX (A)
Baghdad Interconnection Network



ANNEX (B)
Baghdad & Governorates Drug Distribution Health Facilities

Pharmacies	Clinics	Specialized Hospitals	Specialized Health center	Health center with Doctors	General hospitals	Exchange sector
98	78	20	1	7	8	Alwiya Exchange sector
62	50	12	5	2	6	Bab AL Muadham Exchange sector
35	20	3	1	4	2	Dhubat Exchange Sector
22	55	-	1	5	5	Kerbala Exchange sector
15	35	-	1	4	6	Diwaniya Exchange sector
12	32	-	1	5	6	Nasiriya Exchange sector
43	76	4	1	8	10	Basrah Exchange sector

ANNEX (C)

Item	Ration Center	No. Of Branches	Food Agents	Wheat Flour Agents
1	Abou Jaafar	16	7997	490
2	Al- Humzah	17	953	692
3	Khaled Ibn Alwalid	24	1840	1124
4	Suad	36	2441	1123
5	Saddam	36	3319	1894
	Total for Baghdad	124	9400	5323
6	Nineveh	55	2896	2896
7	Tameem	19	1237	319
8	Salah Al - Din	13	1326	394
9	Diala	22	16682	662
10	Anbar	28	1571	414
11	Babel	22	1733	843
12	Najaf	20	977	267
13	Kurbala	12	930	390
14	Muthhana	17	585	199
15	Qadisiyah	19	951	279
16	Wassit	22	1352	482
17	Miissan	21	966	232
18	Dhhi-Qar	24	1938	454
19	Basrah	34	2781	2781
	Grand Total	457	30055	15935
	TOTAL OF AGENTS		45990	



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14 May 1999
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 12 May 1999 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister states that Turkish forces are continuing with the incursion into northern Iraq that they began on 6 April 1999, which has caused serious losses in terms of lives and property among Iraqi citizens belonging to our Kurdish people as well as serious damage to public property, and he requests you to urge the Turkish Government to comply with the norms enshrined in the Charter of the United Nations by withdrawing its armed forces from Iraq's territory forthwith.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Ambassador
Permanent Representative



Annex

Letter dated 12 May 1999 from the Minister for Foreign Affairs
of Iraq addressed to the Secretary-General

Further to my letter dated 16 April 1999 addressed to you (S/1999/441, annex), I should like to call your attention to the fact that Turkish armed forces are continuing with the incursion into northern Iraq that they began on 6 April 1999. Supported by helicopters, fighter aircraft and artillery, they have made deep penetrations in a number of areas, as set forth hereunder.

1. On 7 April 1999 a force of some 10,000 soldiers entered the Wadi Kayshan, Wadi Baghan, Kari Halis and Jabal Khantur areas in the Zakho sector.
2. On 9 April 1999 a force of some 8,000 soldiers entered the Kani Rash, Khawakaruk and Khanirah areas in the Sidkan sector.
3. On 14 April 1999 a force of some 2,000 soldiers entered areas to the north-east of Dokuk.
4. On 21 April 1999 a force of some 2,000 soldiers entered the Jabal Karah area south-east of Amadiyah and the areas round about.
5. On 22 April 1999 a force of some 2,000 soldiers entered the Barr and Ari Bala sector in areas north-east of Amadiyah.
6. Between 27 and 30 April 1999 some of the Turkish forces withdrew from northern Iraq, leaving behind a force of some 5,000 soldiers deployed in several areas in Dohuk Governorate, namely Zakho, Batufah, Bikufah, Bamarni, Kani Masi, Mangish, Amadiyah and Balinda.
7. The incursion by the Turkish armed forces caused serious losses in terms of lives and property to Iraqi citizens among our Kurdish people in the area, to say nothing of the damage done to public property.

The Government of Iraq condemns in the strongest terms this violation of its territory and airspace by the Turkish armed forces, and it calls upon the Turkish Government to withdraw its invading forces from Iraqi territory forthwith and to desist from any repetition of practices that are incompatible with relations of good neighbourliness and the principles of international law and of the Charter of the United Nations. The Government of Iraq further rejects outright the pretexts advanced by Turkey to justify such incursions into northern Iraq, given that the alleged pursuit of elements that pose a threat to Turkish national security does not make it legitimate for Turkey to implement a policy that is entirely at odds with its declared commitment to the sovereignty and territorial integrity of Iraq.

Turkey's distress is fundamentally due to the persistence of the anomalous situation that was created by the United States and the United Kingdom in the area in cooperation with the Government of Turkey itself.

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The Government of Iraq reserves the right to seek compensation for the damage caused by these unlawful actions, it renews its call to the Government of Turkey to put a halt to operations that violate Iraq's sovereignty and place its security and integrity in great jeopardy, and it urges Turkey to give concrete expression to its professed respect for the norms of good neighbourliness between States.

As I express the hope that the United Nations will fulfil its responsibilities as stipulated in the Charter and will halt the constant intimidation and aggression to which my country is being subjected, I request you to do your utmost to urge the Turkish Government to observe the norms enshrined in the Charter of the United Nations and in international law by withdrawing its armed forces from Iraq's territory forthwith.

I request you to have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq



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14 May 1999

ORIGINAL: ENGLISH

LETTER DATED 14 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF
ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to transmit herewith a statement by the Ministry of Foreign Affairs of the Federal Democratic Republic of Ethiopia, issued on 14 May 1999 (see annex). The statement, made on the occasion of the meeting held between the Special Envoy of President Blaise Compaore, President of Burkina Faso, current Chairman of the Organization of African Unity and Chairman of the Organization of African Unity High-Level Delegation, Minister for Foreign Affairs Youssouf Ouedraogo, and the Prime Minister of Ethiopia, Meles Zenawi, reiterates the consistent position of Ethiopia on the crisis.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative



Annex

Statement by the Ministry of Foreign Affairs of Ethiopia
issued on 14 May 1999

The Special Envoy of President Blaise Compaore, President of Burkina Faso, Current Chairman of the Organization of African Unity (OAU) and Chairman of the OAU High-Level Delegation, Minister for Foreign Affairs Youssouf Ouedraogo, accompanied by representatives of the OAU Secretariat, met yesterday, 13 May 1999, with the Prime Minister of Ethiopia, Meles Zenawi. The delegation also met earlier with the Minister for Foreign Affairs, Seyoum Mesfin.

Foreign Minister Ouedraogo, who was also carrying a message from President Compaore to Prime Minister Meles, conducted extensive discussions and exchanged views with both Prime Minister Meles and Foreign Minister Seyoum Mesfin.

After expressing his appreciation to OAU, the High-Level Delegation and to the Current Chairman of OAU for all the efforts that they have made and continue to make for the peaceful resolution of the crisis between Ethiopia and Eritrea, Prime Minister Meles reiterated the consistently held position of Ethiopia on the crisis as follows:

1. The OAU Framework Agreement is a solid and well crafted document which rests on provisions of the Charter of OAU, principles of international law and on full realization of the aspiration of the African people to free the continent of conflicts. It is the commitment to these ideals which underpins the OAU peace plan.
2. The substantive provisions of the peace plan and the proposals contained therein, which focus on procedural matters designed to ensure the peaceful resolution of border dispute, are all informed by OAU's commitment to its Charter principles and to principles of international law and by OAU's adherence to principles of peaceful and friendly relations among African States.
3. The OAU Framework Agreement is a comprehensive peace package whose various elements form an integral whole, none of which can be ignored, rejected or put aside without undermining the whole structure. Accordingly, the claim that one has accepted the OAU peace plan, as Eritrea does, while not willing to be committed to carrying out the key element of the peace plan, in this instance withdrawal from occupied Ethiopian territories, cannot be taken seriously and is in effect a rejection of the peace plan, notwithstanding the incessant Eritrean claim to the contrary.
4. Eritrea's position has been consistent right from the very onset of its aggression against Ethiopia. In the pre-February 1999 period and prior to its defeat in Badme, Eritrea, in effect, had refused to accept the OAU peace plan. After it was forced to vacate Badme, it began to claim that it had accepted the Framework; by thus changing tactics Eritrea proceeded to undermine the spirit of the OAU peace

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plan by playing with the language contained in the document and by making it sound as though the provisions of the peace plan are open to different interpretations. Eritrea therefore, while publicly expressing its commitment to peace, continues to be an obstacle to peace and continues to reject the OAU peace plan, while at the same time claiming to be bound by it.

5. The OAU peace plan leaves no room for conflicting interpretations and whatever problems there are in this regard are artificial and the result of a deliberately created confusion and a smokescreen designed to prevent its implementation.
6. OAU has called for withdrawal of Eritrean troops from all occupied Ethiopian territories and has also called for a ceasefire as well as for other steps to promote the peaceful resolution of the crisis. All these steps form an integral whole and are linked, and none can be torn apart from the others and be considered in isolation without destroying the very fabric of the peace plan and its foundation.
7. Ethiopia has always been committed to the spirit and letter of the Framework Agreement and has accepted the peace plan in its totality. It has shown all the necessary flexibility in this regard without, however, compromising on principles.
8. Ethiopia's insistence that Eritrea's aggression cannot and should not be rewarded is consistent with OAU Charter principles, principles of international law and the aspiration of Africa for a conflict-free continent. This is also the foundation upon which the OAU peace plan rests.
9. The OAU peace plan calls on Eritrea to withdraw, not only from Badme, from which it was expelled forcefully after refusing to do so for nine months, but from all Ethiopian territories it is occupying. Eritrea now says that it has "withdrawn" from Badme and has thus fulfilled its obligation under the OAU peace plan and should not, therefore, be asked to pull out from other occupied Ethiopian territories. Neither principles of international law nor the Framework Agreement support this Eritrean position.
10. There can, therefore, be no doubt that Eritrea continues to be an obstacle to peace and to the implementation of the OAU peace plan.
11. The bottom line for Ethiopia, a position which is in full conformity with the provisions of the OAU Framework Agreement, is that Eritrea should and must withdraw from all occupied Ethiopian territories and that the Ethiopian administrations forcefully uprooted should be restored so that the implementation of the peace plan can proceed.
12. OAU has taken a principled position in this regard. It has submitted a document for peace which the Organization should take pride in. It has not allowed itself to be sidetracked by the confusion deliberately created by Eritrea. If others also join OAU in this effort, it might

be possible, even at this late hour, to ensure the peaceful resolution of the crisis. Eritrea needs to be told that the new round of prevarication it has embarked upon will not and cannot succeed.

Eritrea has lately come up with a new gimmick. It argues that the first step should be the signing by the two parties of the peace plan as if Ethiopia has not long ago, in effect, done so when its Prime Minister, in a letter sealed and delivered on 12 November 1998, committed Ethiopia to the Framework Agreement. For whatever it's worth, Eritrea also did likewise on 27 February 1999. Affixing one's signature to a document that one has not embraced fully makes little sense. Before formality should come substance and the substance revolves around whether or not Eritrea is prepared to commit itself to withdrawal from Ethiopian territories that it is still occupying by force.



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LETTER DATED 14 MAY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF
THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to inform you that in the morning of 14 May 1999, NATO planes committed a heinous crime hitting the refugee centre at Koriste near Suva Reka and Prizren in which refugees on their way back home from Albania were accommodated. According to the initial data, 79 people, mostly women, children and the elderly, were killed and about 58 people were wounded by cluster bombs.

The massacre at Koriste comes in the wake of the recent bombing with cluster bombs of civilian targets in Nis and the Chinese Embassy in Belgrade, the telling examples of the genocidal character of the North Atlantic Treaty Organization (NATO) aggression against the Federal Republic of Yugoslavia.

The massacre at Koriste is an attempt to prevent the refugees that left their homes in the wake of the NATO bombing and as a result of Kosovo Liberation Army intimidation from returning home following the call of the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia. It is reminiscent of the NATO raid against the refugee convoy on the Djakovica-Prizren road on 14 April 1999 and dozens of refugee centres in which a large number of refugees from Bosnia and Herzegovina and Croatia were killed.

The Federal Republic of Yugoslavia expects the Security Council to condemn this crime against civilians, as well as the NATO aggression against the Federal Republic of Yugoslavia, which represents not only a massive violation of human rights, but, by the proportion and size of the destruction of civilian targets, a most direct threat to international peace and stability.

It is my sincere hope that the Security Council will take all necessary measures to fulfil its bounden duty of safeguarding international peace and security based on the principles enshrined in the Charter of the United Nations and to stop the NATO aggression against the Federal Republic of Yugoslavia, a founding member of the United Nations.



S/1999/562

English

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I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.



Security Council

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S/1999/563
17 May 1999

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF
ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to transmit herewith a letter addressed to you from
Tekeda Alemu, Vice-Minister of the Federal Democratic Republic of Ethiopia.

The letter is primarily to draw your attention, and through you the
attention of the Security Council, to a very dangerous development in Somalia
caused by Eritrea's involvement in the conflict in that country.

I should be grateful if you would have the present letter and its annex
circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

Annex

Letter dated 14 May 1999 from the Acting Minister for
Foreign Affairs of Ethiopia addressed to the President
of the Security Council

I have the honour to draw your attention to a very dangerous development in Somalia caused by Eritrea's involvement in the conflict in that country. Recent eyewitness accounts (Integrated Regional Information Network, 6 May 1999; Associated Press, 6 May 1999; Agence-France Presse, 28 April 1999; and Reuters, 5 May 1999) reveal that Eritrea has embarked on a large-scale military activity of destabilization in Somalia in support of one of the warring factions in that war-torn country through shipments by air and sea of arms, including heavy weapons, in flagrant violation of Security Council resolution 733 (1992).

The reports make it abundantly clear that Eritrea has embarked on a policy of further destabilizing Somalia - a country with which it does not even share borders. Not being limited to the shipments of arms and heavy weapons to Somalia in violation of the arms embargo imposed by the Security Council in its resolution 733 (1992), Eritrea is now engaged directly in military activity in Somalia. The presence in Somalia of Eritrean troops taking part in the civil war and with the ultimate objective of destabilizing the whole area is a dangerous development for which Eritrea would have to bear the full consequences.

The leadership in Asmara, which seems to have no wisdom to assess the consequences of its irresponsible activities, appears to be determined to ensure that Somalia remains mired in a state of lawlessness and chaos. The ultimate objective of this irresponsible policy of destabilization for the realization of which Eritrea also appears to be working hand-in-glove with an assortment of terrorist groups, is too transparent to need detailed explanation. But it must be stated quite categorically that Eritrea's objective is aimed at Ethiopia, as can be corroborated by the attempt being made by Asmara to organize anti-Ethiopian terrorist groups from around the world for deployment in Somalia and along the common border between Ethiopia and Somalia. Eritrea is thus playing with fire.

While the countries of the region, in collaboration with partners, including the United Nations, have been engaged in seeking ways and means of promoting national reconciliation in Somalia, Eritrea has chosen to promote further instability in Somalia and to make reconciliation in Somalia an impossible task and a hopeless and distant dream.

Eritrea is thus making it obvious that it is becoming a menace to peace in the Horn of Africa and a State whose preparedness to violate international law has no limits.

It is very relevant in this connection to draw your attention to the fact that the current destabilization activity in Somalia is being carried out by a country, which, prior to its latest aggression against Ethiopia, had launched attacks on and caused hostilities with three of its remaining four neighbours

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sharing common borders with Eritrea. Eritrea has now gone even further by expanding its aggressive activities to a country with which it shares no common borders but which obviously does with Ethiopia. Eritrea's objective is thus plain. It would indeed be strange if Ethiopia were to be expected to sit idly by without responding to this mindless provocation.

Although the first victims of this destabilization activity by Eritrea are the people of Somalia, who have already made their concerns known (Agence-France Presse, 9 May 1999; press release by Puntland, 13 May 1999), it is also plain, as already alluded to, that the developing situation is of direct concern to Ethiopia, which is the ultimate target of Eritrea's lawlessness and its manifest promotion and sponsorship of terrorism.

It is therefore appropriate and necessary for the Security Council to condemn Eritrea for these dangerous activities it is carrying out in Somalia and for its violation of the embargo on all deliveries of weapons and military equipment to Somalia.

As this is being written, Eritrea is feverishly stepping up its involvement in Somalia, in causing tensions to rise in that country and in organizing terrorist missions aimed at Ethiopia. Intelligence reports indicate that more war matériel and contingents of Eritrean troops are on their way to Somalia by air and sea. The Security Council cannot remain indifferent to all these dangerous violations of principles of international law by Eritrea and to the activities currently being carried out by Eritrea, which constitute a threat to the peace of the subregion and to the security of the countries of the area, including Ethiopia.

In the meantime, Ethiopia reserves its right to take the appropriate measures in defence of its national security and in response to the menace created by a country which experience has shown has no respect for international law and for norms of civilized behaviour.

(Signed) Tekeda ALEMU
Acting Minister of Foreign Affairs



Security Council

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GENERAL

S/1999/564
17 May 1999

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF
THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward, enclosed herewith, an aide-mémoire of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia of 15 May 1999 on the use of inhumane weapons in the aggression of the North Atlantic Treaty Organization (NATO) against the Federal Republic of Yugoslavia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

Annex

Aide-mémoire on the use of inhumane weapons in the aggression
of the North Atlantic Treaty Organization against the Federal
Republic of Yugoslavia issued on 15 May 1999

I

In its aggression against the Federal Republic of Yugoslavia, the North Atlantic Treaty Organization (NATO) has been using banned military means and weapons such as cluster bombs and depleted uranium. These weapons are damaging and threatening to the life and health of the people and the consequences of their use are incomparably more inhumane and dangerous than those of the use of conventional arms.

In the period between 25 March and 15 May 1999, over 60 containers, each with 240 cluster bombs (i.e. over 15,000 bombs), as well as more than 400 cluster bombs, have been dropped over the territory of the Federal Republic of Yugoslavia. About 40 containers and over 250 cluster bombs have been dropped over Kosovo and Metohija, killing about 200 and wounding over 450 people. Material damage has been enormous: entire housing estates have been destroyed, as well as schools and hospitals, industrial plants and communications infrastructure. Dozens of people, primarily children, have been killed and wounded as a consequence of the delayed effect of the cluster bombs and new human casualties and destruction can be expected from the remaining unexploded bombs.

The Institute of Nuclear Studies at Vinca, Belgrade, has surveyed the remnants of exploded bombs and positively established the presence of uranium in the ammunition. The inhumane and banned ammunition is most often used in Kosovo and Metohija, a fact which has been confirmed also by NATO representatives themselves. They said in their statements that A-10 planes, whose payloads also contained the so-called depleted uranium ammunition, are being used in the aggression against the Federal Republic of Yugoslavia.

In its aggression against the Federal Republic of Yugoslavia, NATO has also been using missiles with graphite-electromagnetic material. So far they have been used on 2, 8, 13 and 14 May 1999 against the distribution stations of the power plants at Obrenovac and Kostolac, at Novi Sad, Nis and Bajina Basta and against power installations at Lajkovac, Resnik, Lestane and the Belgrade city section of Bezanijska Kosa.

According to the information available to the competent Yugoslav authorities, cluster bombs have been used in the following instances:

1. On 28 March 1999 at 4.30 a.m., 4 missiles and 1 cluster bomb struck land targets in Prizren, causing fires and damaging a number of civilian facilities;
2. On 28 March 1999 at 4.30 a.m., an aerial cluster bomb hit the League of Prizren memorial building near the Town Hall. The building was

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demolished and the windows on the adjacent buildings were broken. Cluster bomb remnants were found during investigation;

3. On 28 March 1999 at 5 p.m. and 8.30 p.m., cluster bombs were used against targets in Nis, causing vast material damage;
4. On 28 March 1999 at 9 p.m., a cluster bomb was used against targets in Sombor, causing vast material damage;
5. On 31 March 1999 at 1.15 a.m., over 30 cluster bombs were dropped on Pristina, causing vast destruction and material damage; 10 bombs did not explode;
6. On 31 March 1999 at 1.15 a.m., 14 containers with 240 cluster bombs were used against targets in the vicinity of the village of Gracanica, causing vast material damage. At the same time, a number of cluster bombs were used against targets in the village of Lipljane;
7. On 2 April at 10 a.m., the area of Stari Trg near Kosovska Mitrovica was attacked with cluster bombs. The local mine facilities as well as a number of family houses were damaged;
8. On 5 and 15 April 1999, a number of cluster bombs were dropped in the area of Podgorica, causing substantial material damage;
9. On 6 April 1999 between 1 p.m. and 2 p.m., cluster bombs were dropped on the buildings of the construction firm "Ramiz Sadiku" in the village of Pirane near Prizren, causing damage to the buildings and the access road about 30 metres long;
10. On 6 April 1999 at 8.45 p.m., civilian buildings were struck with cluster bombs at Dubinje in the vicinity of Sjenica causing substantial damage to the management building of the agricultural complex "Pester", as well as to the dairy, workers' accommodation facilities and a number of auxiliary and apartment buildings and motor vehicles. Telephone, power and water supply lines were hit, cutting the water and power supply and telephone service;
11. On 7 April 1999 at 11.30 a.m., 4 aerial cluster bombs were dropped on the village of Mala Krusa, municipality of Prizren, causing substantial damage to private houses and apartment buildings;
12. On 8 April 1999 at 2 p.m., 2 aerial cluster bombs were dropped on the village of Velika Hoca, municipality of Oraovac. Three people were gravely and 5 lightly wounded, while vast material damage was caused to 29 family houses;
13. On 8 April 1999 at about 11.15 a.m., two cluster bombs were dropped near the building of "Ljubizda" in Prizren. One of them hit the dye and pharmaceutical plant "Limit Duga". The plant was destroyed and 2 people were gravely and 1 lightly wounded. The other bomb hit the agricultural complex "Progres" and four family houses. Five people

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were gravely and 6 lightly wounded and vast material damage was caused;

14. On 10 April 1999 at 11.55 p.m., targets in the village of Merdare, municipality of Kursumlija, were struck with 52 missiles and 8 containers with 240 cluster bombs each (1,920 cluster bombs in all). Five people were killed and 3 wounded, one of them a 6-month pregnant woman.

A road and part of the railroad (now out of commission) have been damaged, as well as adjacent family houses. A number of cluster bombs remained unexploded along the road;

15. On 11 April 1999, 42 missiles and a number of cluster bombs were dropped in the vicinity of the Prokuplje-Podujevo highway. The highway, part of the railroad and the adjacent houses were damaged, while a number of unexploded cluster bombs remained along the highway causing prolonged traffic stoppages;
16. On 11 April 1999 at 2 a.m., a number of cluster bombs were dropped near the villages of Merdare and Mirovac, near Podujevo, causing vast material damage;
17. On 12 April 1999 at 1 a.m., a number of cluster bombs were dropped on the village of Bare, municipality of Kraljevo, causing damage to 8 housing buildings and the carriageway on the Kraljevo-Raska highway;
18. On 12 April 1999 between 10.45 and 11.20 a.m., targets in Urosevac were struck with 6 missiles and 1 cluster bomb. Vast material damage was caused, including the damage to the orchard "Plantaza";
19. On 12 April 1999 at 12 noon, 1.15 and 1.30 p.m., targets at Suva Reka, municipality of Prizren, were struck with 6 cluster bombs, one of them destroying a mosque, while another fell in a nearby field;
20. On 12 April 1999 at 5 p.m., the "Efendi Bridge" at the Djakovica-Ponosevac road was struck and substantially damaged. A box with 15 unexploded cluster bombs was found nearby;
21. On 12 April 1999 at 6.30 p.m., the Djakovica-Klina road at the exit from Djakovica was struck with cluster bombs. Several people were killed and wounded;
22. On 13 April 1999 at 0.40 a.m., 4 missiles hit Hotel "Baciste" at Mt. Kopaonik. The entire hotel complex and 5 "Bacija" facilities were demolished in the ensuing fire and 1 person was lightly wounded. Prior to the missile raid, more than 100 cluster bombs were dropped in front of the hotel. Two buses and 1 freight vehicle were destroyed;

The building of hotel "Putnik" was also substantially damaged;

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On 15 April 1999 at 2.20 p.m., 1 person was killed in the cluster bomb destruction operation near hotel "Baciste";

23. On 14 April 1999 at 2.05 p.m., targets around the Moravica river bridge at the village of Levosoja, municipality of Bujanovac, were struck with cluster bombs. Two people were lightly wounded and substantial material damage was caused;
24. On 14 April 1999 at 1.30 a.m., a container with 240 cluster bombs was dropped on the village of Ravniste, municipality of Brus, most of which exploded. One person was gravely wounded in the operation of the destruction of unexploded bombs;
25. On 14 April 1999 at 12 noon, land targets in Urosevac were struck with 2 containers of cluster bombs;
26. On 14 April 1999 at 2.25 p.m., the area of the municipality of Vranje was struck with cluster bombs, hitting housing buildings in the village of Pavlovac. Several people were killed and gravely wounded. Vast material damage was caused to housing buildings and to the bridge on the Presevo-Vranje motorway. Civilian facilities along the motorway were also damaged;
27. On 15 April 1999 from 2.30 to 2.50 a.m., a container with cluster bombs was dropped in the area of the village of Samailo, municipality of Kraljevo, causing substantial material damage;
28. On 15 April 1999 from 12 noon to 2.30 p.m., two raids were carried out with cluster bombs against targets in the village of Raljan, municipality of Presevo, on which occasion 8 people were killed;
29. On 15 April 1999 at 5 p.m., 1 person was gravely wounded by an unexploded cluster bomb in the village of Belo Polje, municipality of Pec;
30. On 16 April 1999 at 2.05 p.m., targets in the region of the village of Grlica, municipality of Urosevac, were struck with 5 missiles and a container of cluster bombs, on which occasion 1 person was wounded;
31. On 17 April 1999 at 3.30 p.m., 5 missiles and a container of cluster bombs were dropped in the region of the village of Kamena Glava, municipality of Urosevac, causing substantial material damage;
32. On 18 April 1999, 2 people were killed and 1 person gravely wounded in the region of the village of Kamena Glava, municipality of Urosevac, as a consequence of the explosion of unexploded cluster bombs;
33. On 19 April 1999 at 10.15 a.m., targets near a farm aircraft airport and a transmitter in the region of the village of Grlica, municipality of Urosevac, were struck with a number of missiles and a container of cluster bombs;

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34. On 22 April 1999 at about 12 noon, a container of unexploded cluster bombs was found in the village of Drenova, Gornji Milanovac;
35. On 22 April 1999 at 5.50 p.m., a container of cluster bombs was dropped in the region of the village of Bapsko Polje, municipality of Kraljevo, hitting a number of civilian targets;
36. On 24 April 1999 at 11.30 a.m., a container of cluster bombs was dropped on the "Kodza" section of the village of Doganovic, municipality of Kacanik, killing 5 and gravely wounding 2 people;
37. On 25 April 1999 at about 12 noon, remnants of a cluster bomb container were found in the area of "Bumbarevo brdo" in the region of Knic;
38. On 26 April 1999 at 12.15 p.m., a cluster bomb container was dropped in the region of the village of Dulje, municipality of Suva Reka;
39. On 27 April 1999, unexploded cluster bombs were found in the village of Bistrica, municipality of Nova Varos;
40. On 27 April 1999 at about 3 p.m., a container with cluster bombs was dropped in the region of the village of Zur, municipality of Prizren. It hit a power transmission line and damaged several pylons, creating a number of craters spread over the distance of some 700 metres;
41. On 30 April 1999 between 9.05 and 9.15 p.m., a cluster bomb container was dropped in the region of the village of Gare, municipality of Gadzin Han, creating a crater in the vicinity of which a number of unexploded cluster bombs were found;
42. On 1 May 1999 at about 9.30 a.m., a cluster bomb container was dropped on the town park at Obilic;
43. On 1 May 1999 at about 12.40 p.m., a cluster bomb container was dropped on the village of Sibnica on the Sibnica-Mirosaljci road. The bombs landed also in the adjacent fields and meadows in an area of 250 x 100 metres, creating about 100 craters 20 centimetres in diameter and about 50 centimetres deep. A number of people were wounded;
44. On 1 May 1999 at about 10.30 a.m. and at 3 p.m. and 5.45 p.m., 7 cluster bombs were dropped on the village of Veric, municipality of Istok, hitting a number of family houses, while 1 cluster bomb was dropped on the "Djocaj" section of the village of Kovrge;
45. On 2 May 1999 at 11.45 and 11.50 a.m., 2 cluster bomb containers were dropped on Ponosevac, municipality of Djakovica. A number of people were gravely wounded and two passenger cars and several family houses were damaged;

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46. On 2 May 1999 at 1.20 p.m., a cluster bomb container was dropped in the region of the village of Ljug Bunar, municipality of Djakovica, damaging the Djakovica-Klina highway. Substantial material damage was done to the "Maras Petrol" gas station;
47. On 2 May 1999 at 1.25 p.m., a cluster bomb container was dropped in the region of the village of Trakanic, municipality of Djakovica, causing grave injuries to a large number of people;
48. On 2 May 1999, two cluster bombs were dropped on the facilities of Spa Kursumlija;
49. On 3 May 1999 at 8 a.m. and 9 a.m. and 3.30 and 4.20 p.m., 5 missiles and 2 cluster bombs were dropped in the region of the village of Dulje, municipality of Suva Reka;
50. On 3 May 1999 between 9 a.m. and 9 p.m., cluster bombs were dropped in the area of the village of Merdare, municipality of Kursumlija, causing substantial damage in the area;
51. On 3 May 1999 between 11 a.m. and 12 noon, 13 cluster bombs were dropped in the Rugovska Gorge, municipality of Pec, causing substantial material damage;
52. On 3 May 1999 between 11 a.m. and 12 noon, a number of cluster bombs were dropped in the region of the villages of Veliki and Mali Stupelj, destroying a primary school building;
53. On 3 May 1999 between 11.45 a.m. and 1.30 p.m., 3 cruise missiles and a number of cluster bombs were dropped on the Pec-Kula-Rozaje highway in the region of Savine Vode, hitting a civilian bus with passengers travelling on the Djakovica-Podgorica route. Seventeen people were killed, while 44 were gravely or lightly wounded;

On 4 May 1999 at about 3 p.m., a "Ford Escort" passenger car was destroyed by a delayed explosion of a cluster bomb on the Pec-Rozaje highway at the site at which the civilian bus had been hit a day before. Several people were killed and 1 person was wounded;
54. On 3 May 1999 at 1.20, 4.25 and 5 p.m., 5 missiles and 3 cluster bombs were dropped in the region of the village of Banjica, municipality of Kacanik, wounding a number of people;
55. On 4 May 1999 at about 3 a.m., a cluster bomb container was dropped on the road between Krusevac and Rasic, interrupting traffic for a protected period of time;
56. On 4 May 1999 at 7 a.m., 3 missiles and 1 cluster bomb were dropped on the village of Orlate, municipality of Glogovac, wounding several people;

57. On 4 May 1999 two cluster bombs were dropped on the village of Rakos in the vicinity of the lake Radonjic Dam;
58. On 5 May 1999 at about 9.50 p.m., a number of missiles and cluster bombs were dropped on Knic;
59. On 5 May 1999 at 11.05 p.m., a missile and cluster bombs hit a residential area of Lipljan, damaging family houses and wounding a number of people, including an 8-year-old child;
60. On 6 May 1999 at about 1 p.m., 2 missiles hit the village of Cedovo, municipality of Sjenica, causing vast material damage;
61. On 7 May 1999 between 11.30 and 11.40 a.m., 2 cluster bomb containers were dropped on Nis. One container fell in front of the Pathology Hospital, the other in the town centre in front of the Nis University Rector's Office and the "12 February" Health Centre. The central city market place near the Nis Fortress was also shelled. Thirteen people were killed in the explosions of cluster bombs and 18 were gravely and 11 lightly wounded. 120 housing units were damaged and 47 destroyed, while 15 passenger cars were also destroyed;
62. On 8 May 1999 at 11.30 a.m., a cluster bomb container was dropped in the region of the village of Merdaro, municipality of Podujevo, gravely wounding a great number of people;
63. On 8 May 1999 at 3.50 p.m., a large number of unexploded cluster bombs were found in the village of Crmljane, municipality of Djakovica;
64. On 8 May 1999 between 4.05 and 4.25 p.m., a missile hit the "12 February" Bridge and 2 cluster bomb containers were dropped near a car dealership and the "Nis Express" parking lot in Nis. One person was gravely and 10 people lightly wounded;
65. On 8 May 1999 at about 10 p.m., cluster bombs were dropped on a residential area in the region of the village of Junik;
66. On 8 May 1999 at 10.15 p.m., 2 cluster bomb containers were dropped in the region of the village of Srpski Babus, municipality of Urosevac, causing substantial material damage;
67. On 8 May 1999, 4 cluster bombs were dropped in the region of Decani in the vicinity of the Decani Monastery;
68. On 9 May 1999 at 11.40 a.m., the region of Belopoljske Mountains in the area of the municipality of Pec was hit with cluster bombs;
69. On 9 May 1999 between 10 a.m. and 11.45 a.m., 36 unexploded cluster bombs were destroyed in the Rugovska Gorge dropped by NATO planes in the area;

70. On 10 May 1999 at about 1.45 a.m., a number of civilian targets were hit with cluster bombs in Nis causing substantial material damage;
71. On 10 May 1999 from 11.15 to 11.45 a.m., a number of targets were struck in the municipality of Djakovica;
72. On 10 May 1999 at about 4 p.m., a refugee convoy was struck with cluster bombs on the Prizren-Djakovica motorway in the region of the village of Mala Krusa, municipality of Prizren;
73. On 10 May 1999 at about 11 p.m., the region of the village of Brdarica, municipality of Koceljevo, was struck with cluster bombs, causing substantial material damage;
74. On 11 May 1999 at about 1.15 a.m., the region of the village of Staro Gacko, municipality of Lipljan, was bombed. Three people were killed and 4 were gravely wounded, while several family houses were damaged;
75. On 11 May 1999 at about 8.15 a.m., a number of cluster bombs were dropped on the village of Babin Most, municipality of Obilic, causing substantial material damage;
76. On 11 May 1999 at about 11.25 a.m., civilian targets were struck with two containers of cluster bombs in Nis, causing vast material damage;
77. On 11 May 1999 at about 12 noon, the buildings of the "Krusik" company in Valjevo were hit with cluster bombs, causing vast material damage;
78. On 12 May 1999 at about 0.15 a.m., the region of the village of Kostanje, municipality of Urosevac, was bombed with cluster bombs. Several people were gravely wounded and vast material damage was done;
79. On 13 May 1999 at 11.56 p.m., according to initial and still incomplete data, 84 people were killed and over 100 were wounded (Yugoslav citizens of Albanian nationality, mainly women, children and the elderly) by cluster bombs dropped by NATO planes on the refugee camp in the village of Koriste on the road between Suva Reka and Prizren.

II

In bombing civilian targets in the territory of the Federal Republic of Yugoslavia, NATO planes have used depleted uranium ammunition. NATO bombing squadrons sent against targets in the Federal Republic of Yugoslavia also include A-10 planes, the payloads of which contain the ammunition made of depleted uranium.

On 30 March 1999, A-10 planes bombed the region of Greater Prizren.

On 18 April 1999, A-10 planes used radioactive ammunition in the region of Greater Bujanovac. On the basis of spectrometric tests and identification of radio-nucleides, it can be positively averred that the sample - the bullet for

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the 30-millimetre cannon of the A-10 plane - contains depleted uranium. The diameter of the core is 16 millimetres, length 95 millimetres, mass 292 grams and the calculated density about 18 g/cm. The tested sample has been appropriately deposited and may be offered as evidence.

The depleted uranium is radioactive nuclear waste, the combustion of which releases products which are radioactive and poisonous. High temperature is created at the impact of the missile and at least 70 per cent of the total mass of the depleted uranium and its oxides is released in the form of aerosol (particles below 5). These particles are inhaled into organisms, they contaminate the environment and are spread, thus creating a contamination of broader proportions.

According to international standards, uranium 238 belongs to the second group of radio-nucleides of very high radioactivity and toxicity and, as such, is very dangerous for the population. Its use is highly inhumane both for its instantaneous and for its subsequent radioactive effect. The effects of its use against troops and the civilian population are fatal since they cause wounds followed by contamination which makes the use of this ammunition, a crime against humanity and international law.



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GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 14 May 1999 from the Permanent Representative of Cyprus
to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 11 May 1999, I have the honour to draw your attention to new violations of the flight information region (FIR) of Nicosia and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded on 11 and 12 May 1999.

On 11 May 1999, six F-4 military aircraft of the Turkish Air Force entered the Nicosia FIR, violating international air traffic regulations. The aircraft in question flew within the Nicosia FIR before returning to the FIR of Ankara.

On 12 May 1999, one C-650 military aircraft of the Turkish Air Force entered the Nicosia FIR, violating international air traffic regulations. The aircraft in question violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia before exiting in a south-easterly direction.

As stated in my previous letters, these Turkish unauthorized intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules, and at the same time are in contravention to the provisions of Security Council resolutions on Cyprus.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey, which demonstrate once more Turkey's blatant disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

I would like, once again, to underline that the present violations occurred after the adoption of Security Council resolutions 1217 (1998) and 1218 (1998), in which the Council called upon all States to respect the sovereignty and territorial integrity of the Republic of Cyprus and to refrain from any action



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which might prejudice that sovereignty, independence and territorial integrity. My Government expects that the Turkish side will show compliance with the provisions of these resolutions.

Such provocative actions are not conducive to reducing tension and run counter to the initiative of the Secretary-General announced on 30 September 1998, within the framework of his Mission of Good Offices, with the goal of reducing tensions and promoting progress towards a just and lasting settlement in Cyprus.

Furthermore, the continuing overflights by the Turkish Air Force, as well as the presence of the Turkish military occupation forces on the island, constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative



General Assembly
Security Council

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17 May 1999

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Agenda item 47

SECURITY COUNCIL
Fifty-fourth year

ELECTION OF THE JUDGES OF THE
INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE PROSECUTION OF PERSONS
RESPONSIBLE FOR GENOCIDE AND
OTHER SERIOUS VIOLATIONS OF
INTERNATIONAL HUMANITARIAN LAW
COMMITTED IN THE TERRITORY OF
RWANDA AND RWANDAN CITIZENS
RESPONSIBLE FOR GENOCIDE AND
OTHER SUCH VIOLATIONS COMMITTED
IN THE TERRITORY OF NEIGHBOURING
STATES BETWEEN 1 JANUARY AND
31 DECEMBER 1994

Identical letters dated 17 May 1999 from the Secretary-General
addressed to the President of the General Assembly and the
President of the Security Council

The President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994, has requested, for the reasons set out in his attached letter of 14 May, an extension of the term of office of a non-elected judge of the Tribunal in order to allow him to dispose of two ongoing cases. This matter raises institutional and budgetary questions pertaining to the status of a judge beyond his elected term of office and to related financial arrangements.

You may recall that, at the election of judges of the Tribunal by the General Assembly on 3 November 1998, two judges who were currently serving on the Tribunal were not elected to a second term of office, having not been nominated for re-election. This in particular is the situation of one of the judges who currently compose Trial Chamber I sitting in the Rutaganda and Musema cases and whose term of office expires on 24 May 1999. If that judge is not



allowed to complete those cases, it would be necessary to restart both trials with a new panel of judges and order the rehearings of witnesses and testimonies. At this late stage in the proceedings in the cases concerned, such a course of action would unnecessarily prolong the trials and violate the rights of the accused to due process of law.

The Statute of the International Tribunal does not contain a provision similar to article 13, paragraph 3, of the Statute of the International Court of Justice, whereby judges of that Court continue to discharge their duties until they are replaced and, thereafter, until they finish any cases which they may have begun. It is provided in article 12, paragraph 5, of the Statute of the International Tribunal that the terms and conditions of service of judges of the Tribunal shall be those of the judges of the International Court of Justice. However, in the absence of an explicit statutory provision providing for the extension of the term of office of judges of the Tribunal to complete ongoing cases, an approval of the Security Council, as the parent organ of the Tribunal, and of the General Assembly, as the organ which elects its judges, would be desirable in order to preclude any question being raised regarding the legality of such an extension.

As more fully elaborated in the letter addressed to me by the President of the International Tribunal, the period required to complete the Rutaganda and Musema cases is estimated to be eight months. The Registry of the International Tribunal has advised me that the budgetary costs of the extension which is being requested of Judge Aspegren's term of office are estimated to be \$261,800. The Registry has also advised me that it is envisaged that the Tribunal may be able to meet those costs from within the 1999 appropriation adopted for the Tribunal by the General Assembly in its resolution 53/213 of 18 December 1998.

In view of the very short time which is available before Judge Aspegren's term of office is due to come to an end, I should greatly appreciate it if you could bring the present letter and its annex to the immediate attention of the members of the General Assembly and of the Security Council for their speedy approval in the manner that they deem fit.

(Signed) Kofi A. ANNAN

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Annex

[Original: French]

Letter dated 14 May 1999 from the President of the International Criminal Tribunal for Rwanda addressed to the Secretary-General

As you know, the mandate of Judge Aspegren of the International Criminal Tribunal for Rwanda will expire on 24 May, while two cases are still in proceedings before Trial Chamber I, where he sits: the Prosecutor vs. Georges Anderson Rutaganda and Prosecutor vs. Alfred Musema cases.

The Rutaganda case, which began on 18 March 1997, is about to proceed to deliberations. The Prosecutor has completed the presentation of the evidence and only one witness for the defence has still to appear, on 16 June 1999. This case has been adjourned several times owing to the precarious state of health of the accused and the fact that his lawyer, Tiphaine Dixon, has herself been ill, causing an eight-month suspension. The case should now, in any event, move into the deliberation phase by the end of June 1999, following the closing speech by the Prosecutor and the pleading by the Defence, which will take place during the days following the appearance of the last witness.

The Musema case is also coming to an end, since all the witnesses for the Prosecution have already appeared and only five witnesses for the Defence remain to be heard. However, in view, in particular, of obligations undertaken by the defence lawyers, one of whom, Michail Wladimiroff, will apparently be involved in the Lockerbie case, the last witnesses remaining to appear should be heard in the first weeks of September 1999 and the closing speech and pleading will take place immediately afterwards. This case should therefore enter the deliberation phase next September.

The departure of Judge Aspegren upon completion of his mandate on 24 May, at a time when the aforementioned trials have not yet proceeded to deliberations, would oblige us to begin them all over again, a situation which would have unfortunate legal and financial consequences and would surely cause serious prejudice not only to the accused and our legal work, but also to the image of our Tribunal.

Accordingly, in the light of our experience and in view of the fact that the two aforementioned trials are about to proceed to deliberations, it seems to us that it would be more appropriate, in the interest of sound administration of justice, to extend, on an exceptional basis, the mandate of Judge Aspegren in order to enable us to close these two cases and render our verdicts in the months to come.

Allow me, Sir, to draw your attention to the fact that in 1997, following a request by President Antonio Cassesse, the President of the International Criminal Tribunal for the former Yugoslavia, under circumstances similar to those which obtain today, the Security Council authorized an extension of the mandates of three Judges of that Tribunal for a period of 12 months, enabling them to complete a trial and render their judgement.

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I therefore request you, Sir, to convey to the President of the Security Council and to the President of the General Assembly a request to extend the mandate of Judge Lennart Aspegren until 30 January 2000 at the latest. I am perfectly aware of the very short period of time for considering our request and ask you to express our apologies in this connection to the distinguished members of the Security Council and the General Assembly.

I have requested Mr. Agwu Okali, our Tribunal's Registrar, to consider and communicate to you as speedily as possible the financial implications of extending the mandate of Judge Aspegren so that you might be able to inform the members of the Security Council and the General Assembly in this regard.

If such an extension is authorized, Sir, Judge Aspegren, Judge Navanethem Pillay and I, who sit in the same Chamber, will clearly make every effort to ensure that the two judgements are rendered as soon as possible and perhaps even before 31 January 2000.

(Signed) Laity KAMA
President



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17 May 1999

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF
ERITREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to forward to you the attached press release issued on 17 May 1999 by the Ministry of Foreign Affairs of the State of Eritrea concerning the clarity of the content of the Organization of African Unity Framework Agreement which Eritrea has fully accepted and is ready to implement.

I should be grateful if you would kindly circulate the present letter and its annex as a document of the Security Council.

(Signed) Haile MENKERIOS
Ambassador
Permanent Representative



Annex

Press release issued on 17 May 1999 by the Ministry
of Foreign Affairs of Eritrea entitled "Is the OAU
Framework Agreement Ambiguous?"

1. As international pressure for the immediate implementation of the Organization of African Unity (OAU) Framework Agreement mounts, Ethiopia's preferred choice seems to be to impede the peace process by raising issues of "interpretation". But is the Framework Agreement really ambiguous? What are its basic provisions?

2. The 11-point Framework Agreement may be condensed into the following 5 sequential measures:

- Formal acceptance of the Framework Agreement by both sides;
- Formal cessation of hostilities;
- Eritrean forces to redeploy from Badme and environs as a mark of goodwill and consideration to OAU;
- Demilitarization of the entire border through the redeployment of the forces of both parties along the entire border as part of the implementation process of the Framework Agreement;
- Demarcation of the boundary within a period of six months.

3. From the foregoing, it is clear that Eritrea was required to withdraw, as a gesture of goodwill to OAU and after the formal acceptance of the Framework Agreement and the cessation of hostilities, from Badme town and its environs, in accordance with operative paragraph 3 of the Framework Agreement (S/1998/1223, annex). This is the component of Eritrean unilateral withdrawal. Afterwards, as operative paragraph 5 (a) and the clarifications provided by the High-level Delegation to Eritrea through their letter of 26 January 1999 (S/1999/274, annex) underline explicitly, both sides are required to redeploy their troops to positions to be determined subsequently, as part of the implementation process of the Framework Agreement.

4. The OAU High-level Delegation defined "environs" of Badme town, in its written clarifications provided to Eritrea on 26 January 1999, as "the area surrounding Badme town". On the Ethiopian contention that "Badme and environs" meant all Ethiopian border territories occupied by Eritrea since 6 May 1998, the clarification of 26 January 1999 reads: "the High-level Delegation took note of the position of Prime Minister Melles Zenawi. There was, however, no further discussion on the issue".

5. This was consistent with the terms of reference that the High-level Delegation drew for the Committee of Ambassadors and which was communicated to the foreign ministries of both countries through the letter of the General

Secretariat of OAU on 24 June 1998. Operative paragraph 2 of the terms of reference of the Ambassadorial Committee read:

"to collect, from the two Parties or any other appropriate International Organisation and Agency, information which would make it possible to determine the authority which was administering Badme before 12 May 1998".

6. Eritrea objected to this restrictive mandate, arguing, through its letter to the Secretary-General of OAU of 25 June 1998,

"We fail to see the rationale of this task. It must be borne in mind that Badme is one of several Eritrean towns 'contested' by Ethiopia, although we do not as yet know the totality of Ethiopian claims other than what can be inferred from the map of Tigray Administrative Region that carves large swathes of Eritrean territory. For example, it would make equal sense for the Committee to collect information as to which Authority administered Adi Murug prior to July 1997. For the OAU to investigate into one without considering the other is making an unacceptable prejudgement. Moreover, administration by itself does not have any meaning if the process by which this administration was installed was illegal. What is of critical importance is where Badme, Adi Murug and other areas lie within the recognised boundary. We therefore request that point No. 2 be deleted from the tasks as it can be accommodated within task Number 1".

7. As expressed in the OAU report (S/1998/1223, para. 13), "the Committee decided to take note of the reservations of Eritrea". Does this mean that the Committee had accepted Eritrea's reservations? Not at all. Although it took note of Eritrea's position, the Committee nonetheless stuck to the original terms of reference that were formulated by the High-level Delegation.

8. It should also be recalled here that Ethiopia had all along refused to submit the totality of its territorial claims when pressed to do so by OAU at the request of Eritrea. The written clarification provided to Eritrea by the OAU High-level Delegation reads in this regard: "Ethiopia has indicated that it will submit its claims when the issues of delimitation, demarcation and, if need be, arbitration are addressed".

9. In view of the facts underlined above, the preconditions now put forth by the Tigre People's Liberation Front (TPLF) regime demanding that

"the government of Eritrea needs to officially declare that it will withdraw its troops from all Ethiopian land and agree to set a short time-frame in which the withdrawal will be implemented ... As long as Ethiopian territory remains under Eritrean occupation, it is impossible to discuss a ceasefire and negotiate a solution to the border conflict",

are incompatible with the OAU Framework Agreement. Indeed, what TPLF calls "occupied areas" are precisely those territories that it has illegally incorporated into its 1997 map of Tigray and large tract of territory on the Dankali region of Eritrea.

10. Obviously at the bidding of Ethiopia, some circles are known to be arguing for a "revision" of the Framework Agreement due to "a changed situation". This is untenable, both morally and procedurally. The OAU secretariat was against any amendment of the terms of reference of the Ambassadorial Committee, arguing that its mandate was to implement the resolutions of the OAU Summit of Heads of State. What powers does it have now to revise a Framework endorsed by the Summit of the Central Organ? Moreover what "change" has occurred other than the use of military force by Ethiopia, on 6 February of this year, while the peace process was in motion to occupy Eritrean territory in defiance of the persistent calls of OAU and the Security Council on both sides not to resort to force? To revise the Framework Agreement because of changes on the ground is tantamount to condoning the use of force and to encouraging the parties to resort to a spiral of offensives and counter-offensives to improve their bargaining position.



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LETTER DATED 3 MAY 1999 FROM THE PERMANENT REPRESENTATIVE OF MALI
TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the text of the statement issued by the Government of Mali on 30 April 1999 concerning the situation in the Comoros (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Moustar OUANE
Ambassador
Permanent Representative



Annex

Statement issued on 30 April 1999 by the Government of Mali
on the situation in the Comoros

The Government of Mali expresses its deep concern following the military coup d'état which took place in the Comoros on 30 April 1999.

The Government of Mali strongly condemns the coup d'état and appeals for the restoration of legitimacy, constitutional order, democratic institutions and the rule of law.

The Government of Mali reiterates its support for the efforts being made by the Organization of African Unity (OAU) to establish peace in the Comoros and stresses the need for the swift implementation of the Addis Ababa agreements and the Antananarivo process.

Reaffirming its commitment to the unity and territorial integrity of the Comoros, in keeping with the relevant resolutions of OAU, the Government of Mali calls upon all the Comorian parties to pursue an inter-community dialogue and to work together for the return of peace and for national reconciliation in the context of a political solution to the crisis.
